

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALLAN K. MARSHALL	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
PORTFOLIO RECOVERY ASSOCIATES, INC. & MONIQUE BAILEY	:	NO. 09-0306

ORDER

AND NOW, this 12 day of August 2009, upon consideration of defendants Portfolio Recovery Associates, Inc. and Monique Bailey's motion for judgment on the pleadings, plaintiff's reply, defendants' response and plaintiff's sur-reply thereto and the accompanying memoranda, it is hereby ORDERED that:

1. Defendants' motion for judgment on the pleading for the plaintiff's FDCPA claim is GRANTED;
2. Plaintiff's "state Act" claim is DISMISSED without prejudice and
3. Defendants' request for attorneys' fees is DENIED.
4. Judgment is entered in favor of defendants and against the plaintiff on plaintiff's FDCPA claim against defendants.
5. The Clerk of Court is directed to close this case statistically.

/s Thomas O'Neill
THOMAS N. O'NEILL, JR., J.